

control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

□ 1300

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: Ordering the previous question on House Resolution 1212; Adopting the resolution, if ordered; Ordering the previous question on House Resolution 1213; Adopting the resolution, if ordered; Ordering the previous question on House Resolution 1214; Adopting the resolution, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 6049, RENEWABLE ENERGY AND JOB CREATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1212, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 223, nays 190, not voting 21, as follows:

[Roll No. 338]

YEAS—223

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello

Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinche

Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)

McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy

Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Space
Spratt

Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—190

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Blibray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)

Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (NY)
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Muschgrave
Myrick
Neugebauer

Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (CA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souders
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—21

Andrews	Gillibrand	Sensenbrenner
Brown, Corrine	Kennedy	Sessions
Castor	King (IA)	Slaughter
Coble	Kingston	Solis
Crenshaw	Oliver	Speier
Cubin	Reynolds	Tiahrt
Fortenberry	Rush	Wexler

□ 1322

Mr. ROHRABACHER changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. SPEIER. Mr. Speaker, on rollcall No. 338, I was meeting with Emergency Room Physicians from California on H.R. 882, Access to Emergency Medical Services Act. Had I been present, I would have voted “yea.”

Stated against:

Mr. KING of Iowa. Mr. Speaker, I was detained while attempting to reach the floor to cast my vote on rollcall 338 earlier this afternoon. Had I been able to reach the floor before the vote was closed, I would have voted “no.”

Mr. COBLE. Mr. Speaker, on rollcall No. 338, I was attending the graduation ceremony at the United States Coast Guard Academy. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 194, not voting 17, as follows:

[Roll No. 339]

YEAS—223

Abercrombie	Clyburn	Gordon
Ackerman	Cohen	Green, Al
Allen	Conyers	Green, Gene
Altmire	Cooper	Grijalva
Arcuri	Costa	Gutierrez
Baca	Costello	Hall (NY)
Baird	Courtney	Hare
Baldwin	Cramer	Harman
Barrow	Crowley	Hastings (FL)
Bean	Cuellar	Herseth Sandlin
Becerra	Cummings	Higgins
Berkley	Davis (AL)	Hinchey
Berman	Davis (CA)	Hinojosa
Berry	Davis (IL)	Hirono
Bishop (GA)	Davis, Lincoln	Hodes
Bishop (NY)	DeFazio	Holden
Blumenauer	DeGette	Holt
Boren	Delahunt	Honda
Boswell	DeLauro	Hooley
Boucher	Dicks	Hoyer
Boyd (FL)	Dingell	Inslee
Boyd (KS)	Doggett	Israel
Brady (PA)	Donnelly	Jackson (IL)
Braley (IA)	Doyle	Jackson-Lee
Butterfield	Ellison	(TX)
Capps	Ellsworth	Jefferson
Capuano	Emanuel	Johnson (GA)
Cardoza	Engel	Johnson, E. B.
Carnahan	Eshoo	Jones (OH)
Carney	Etheridge	Kagen
Carson	Farr	Kanjorski
Cazayoux	Fattah	Kaptur
Chandler	Filmer	Kildee
Childers	Foster	Kilpatrick
Clarke	Frank (MA)	Kind
Clay	Giffords	Klein (FL)
Cleaver	Gonzalez	Kucinich

Lampson	Napolitano	Sires
Langevin	Neal (MA)	Skelton
Larsen (WA)	Oberstar	Smith (WA)
Larson (CT)	Obey	Snyder
Lee	Oliver	Solis
Levin	Ortiz	Space
Lewis (GA)	Pallone	Speier
Lipinski	Pascrell	Spratt
Loeb sack	Pastor	Stark
Lofgren, Zoe	Payne	Stupak
Lowe	Perlmutter	Sutton
Mahoney (FL)	Peterson (MN)	Tanner
Maloney (NY)	Pomeroy	Tauscher
Markey	Price (NC)	Taylor
Marshall	Rahall	Thompson (CA)
Matheson	Rangel	Thompson (MS)
Matsui	Reyes	Tierney
McCarthy (NY)	Richardson	Towns
McCollum (MN)	Rodriguez	Tsongas
McDermott	Ross	Udall (CO)
McGovern	Rothman	Udall (NM)
McIntyre	Roybal-Allard	Van Hollen
McNerney	Ruppersberger	Velázquez
McNulty	Ryan (OH)	Visclosky
Meek (FL)	Salazar	Walz (MN)
Meeks (NY)	Sánchez, Linda	Wasserman
Melancon	T.	Schultz
Michaud	Sanchez, Loretta	Waters
Miller (NC)	Sarbanes	Watson
Miller, George	Schakowsky	Watt
Mitchell	Schiff	Waxman
Mollohan	Schwartz	Weiner
Moore (KS)	Scott (GA)	Welch (VT)
Moore (WI)	Scott (VA)	Wilson (OH)
Moran (VA)	Serrano	Woolsey
Murphy (CT)	Sestak	Wu
Murphy, Patrick	Shea-Porter	Yarmuth
Murtha	Sherman	
Nadler	Shuler	

NAYS—194

Aderholt	Flake	McCotter
Akin	Forbes	McCrery
Alexander	Fortenberry	McHenry
Bachmann	Fossella	McHugh
Bachus	Fox	McKeon
Barrett (SC)	Franks (AZ)	McMorris
Bartlett (MD)	Frelinghuysen	Rodgers
Barton (TX)	Gallegly	Mica
Biggert	Garrett (NJ)	Miller (FL)
Bilbray	Gerlach	Miller (MI)
Bilirakis	Gilchrest	Miller, Gary
Bishop (UT)	Gingrey	Moran (KS)
Blackburn	Gohmert	Murphy, Tim
Blunt	Goode	Musgrave
Boehner	Goodlatte	Myrick
Bonner	Granger	Neugebauer
Bono Mack	Graves	Nunes
Boozman	Hall (TX)	Paul
Brady (TX)	Hastings (WA)	Pearce
Broun (GA)	Hayes	Pence
Brown (SC)	Heller	Peterson (PA)
Brown-Waite,	Hensarling	Petri
Ginny	Herger	Pickering
Buchanan	Hill	Pitts
Burgess	Hobson	Platts
Burton (IN)	Hoekstra	Poe
Buyer	Hulshof	Porter
Calvert	Hunter	Price (GA)
Camp (MI)	Inglis (SC)	Pryce (OH)
Campbell (CA)	Issa	Putnam
Cannon	Johnson (IL)	Radanovich
Cantor	Johnson, Sam	Ramstad
Capito	Jones (NC)	Regula
Carter	Jordan	Rehberg
Castle	Keller	Reichert
Chabot	King (IA)	Renzi
Cole (OK)	King (NY)	Reynolds
Conaway	Kirk	Rogers (AL)
Cubin	Kline (MN)	Rogers (KY)
Culberson	Knollenberg	Rogers (MI)
Davis (KY)	Kuhl (NY)	Rohrabacher
Davis, David	LaHood	Ros-Lehtinen
Davis, Tom	Lamborn	Roskam
Deal (GA)	Latham	Royce
Dent	LaTourette	Ryan (WI)
Diaz-Balart, L.	Latta	Sali
Diaz-Balart, M.	Lewis (CA)	Saxton
Doolittle	Lewis (KY)	Scalise
Drake	Linder	Schmidt
Dreier	LoBiondo	Sessions
Duncan	Lucas	Shadegg
Ehlers	Lungren, Daniel	Shays
Emerson	E.	Shimkus
English (PA)	Mack	Shuster
Everett	Manzullo	Simpson
Fallin	Marchant	Smith (NE)
Feeney	McCarthy (CA)	Smith (NJ)
Ferguson	McCaul (TX)	Smith (TX)

Souder	Upton	Whitfield (KY)
Stearns	Walberg	Wilson (NM)
Sullivan	Walden (OR)	Wilson (SC)
Tancredo	Walsh (NY)	Wittman (VA)
Terry	Wamp	Wolf
Thornberry	Weldon (FL)	Young (AK)
Tiberi	Weller	Young (FL)
Turner	Westmoreland	

NOT VOTING—17

Andrews	Edwards	Sensenbrenner
Boustany	Gillibrand	Slaughter
Brown, Corrine	Kennedy	Tiahrt
Castor	Kingston	Wexler
Coble	Lynch	Wynn
Crenshaw	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1331

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. COBLE. Mr. Speaker, on rollcall No. 339, I was attending the graduation ceremony at the United States Coast Guard Academy. Had I been present, I would have voted “nay.”

PROVIDING FOR CONSIDERATION OF H.R. 5658, DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1213, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 186, not voting 13, as follows:

[Roll No. 340]

YEAS—235

Abercrombie	Cazayoux	Emanuel
Ackerman	Chandler	Engel
Allen	Childers	Eshoo
Altmire	Clarke	Etheridge
Arcuri	Clay	Farr
Baca	Cleaver	Fattah
Baird	Clyburn	Filner
Baldwin	Cohen	Foster
Barrow	Conyers	Frank (MA)
Bean	Cooper	Giffords
Becerra	Costa	Gonzalez
Berkley	Costello	Gordon
Berman	Courtney	Green, Al
Berry	Cramer	Green, Gene
Bilirakis	Crowley	Grijalva
Bishop (GA)	Cuellar	Gutierrez
Bishop (NY)	Cummings	Hall (NY)
Blumenauer	Davis (AL)	Hare
Boren	Davis (CA)	Harman
Boswell	Davis (IL)	Hastings (FL)
Boucher	Davis, Lincoln	Herseth Sandlin
Boyd (FL)	DeFazio	Higgins
Boyd (KS)	DeGette	Hill
Brady (PA)	Delahunt	Hinchey
Braley (IA)	DeLauro	Hinojosa
Butterfield	Dicks	Hirono
Capps	Dingell	Hodes
Capuano	Doggett	Holden
Cardoza	Donnelly	Holt
Carnahan	Doyle	Honda
Carney	Edwards	Hooley
Carson	Ellison	Hoyer
Castle	Ellsworth	Inslee